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SIPDIS

C O R R E C T E D C O P Y (MARGINS)

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TAGS: CU EAID ETTC NL PHUM PREL EUN

SUBJECT: SUBJECT: DUTCH/CUBA: STRONG ON HUMAN RIGHTS;

WAVERING ON ISOLATION

REF: A. REF: (A) STATE 135512

1B. (B) HAVANA 2996

1C. (C) BRUSSELS 2733

Classified By: Classified by POL Counselor Andrew Schofer  
for reasons 1.4 (b) and (d).

SUMMARY

11. (C) The EU Common Position forms Dutch policy toward Cuba. While the Dutch prefer a policy of engagement to one of isolation, they are resolute that Cuba must first improve human rights before any thaw in EU-Cuban relations -- even to pre-2003 "constructive engagement" as usual. Besides this tough official policy, the Dutch are working to cultivate civil society in Cuba, and several Dutch NGOs support local efforts to strengthen human rights, democracy and fundamental freedoms, and hasten the arrival of a post-Castro Cuba. Strong Dutch policies and actions toward Cuba, together with general cooperation with the U.S., make a renewed suspension of Title III of the Libertad Act a matter of U.S. national interest.

European Policy Ties Relations to Human Rights

12. (C) Dutch Cuba policy is primarily dictated by the EU. In a June 24 meeting with Poloff, Dutch MFA Cuba desk officer Jan Jaap Groenemeijer reiterated that the Dutch do not intend to take a different line toward Cuba from the EU, and cautioned that the EU would take issue with a country-by-country U.S. approach to member states. He also noted that the EU's July 6 Latin America Working Group meeting would discuss both Cuba and U.S. concerns.

13. (C) Groenemeijer stressed that the EU gives a high priority to human rights in its dealings with Cuba, and that no easing in official relations will take place until the Cuban government improves the human rights situation of Cubans. Groenemeijer indicated that the EU Common Position toward Cuba had never been stronger, limiting official and cultural ties with Cuba and denying improved relations until the Cuban government makes human rights improvements. This position will not weaken during the Dutch EU presidency.

Dutch Interested in Unfreezing Relations When/If Human Rights Improve

14. (C) Groenemeijer emphasized that the U.S. and EU share the same human rights objectives with regard to Cuba, but commented that Europeans generally prefer a strategy of engagement to one of isolation. Groenemeijer said the effect of the recent crackdown in Cuba was that Havana has "isolated itself." The resulting diplomatic freeze was "not benefiting anyone," he said, and would ultimately be "a price paid by the Cuban people." While emphasizing the European preference to engage ("helping rather than isolating") Groenemeijer nevertheless said he did not foresee any EU move to unfreeze relations until the human rights situation in Cuba improved.

15. (C) Groenemeijer placed particular emphasis on the 75 political prisoners arrested in March 2003, commenting that no improvements in relations would take place until the prisoners were released. The recent release of prisoners, he said, was not sufficient to change the Dutch or EU positions. Groenemeijer added that he foresaw no change in EU policy during the Dutch EU presidency even if the situation improved, primarily because "reaching agreement with all European governments takes a long time."

Optimistic About Civil Society; Wary of Appearances

16. (C) Groenemeijer commented that he saw "a lot of potential for Cuban civil society." He cited the Varela project, which continues to collect more signatures in its petition campaign despite the fierce Cuban crackdown, as evidence that Cuban civil society remains active and continues to grow even in the face of hardship.

17. (C) When questioned as to whether Groenemeijer believed that the Dutch mission in Havana would be interested in working with the U.S. Interest Section the specific projects cited in

Reftel B (Note: Schoudeboom is now Ambassador in Latvia rather than Director of the Latin America and Caribbean office), Groenemeijer expressed concern that the Europeans might be -- and in some cases already were -- seen as "slaves" to the U.S. in places like Cuba. "The EU has its own policy," he stated. (Note: This presumably would not preclude approaching the Dutch in the EU presidency capacity, however.)

#### Dutch Activities in Cuba

18. (C) Dutch officials routinely make their concerns regarding the human rights situation in Cuba known, both in public and through gestures such as issuing invitations to Cuban dissidents to attend national day celebrations overseas. Several Dutch NGOs also help focus public attention on human rights in Cuba. Dutch NGO Pax Christi, for example, whose work raised awareness about Cuban human rights prior to the EU's toughening of policies toward Cuba, supports the Plan Varela Campaign, a dissident-run petition drive to convince law-makers to put constitutional rights - which are currently ignored - into law. Pax Christi has contact with the Cuban dissident movement Movimiento Cristiano Liberacion (MCL), which seeks to stimulate the democratization of the Cuban regime, and MCL-run magazine Vitral, which seeks to empower civil and political awareness in preparation for a democratic transition. Dutch NGO Hivos (Humanist Institute for Cooperation with Developing Countries) provides financial and political support to twelve local partner organizations in Cuba, including agricultural, developmental, and cultural programs.

#### Consequences if Title III Not Suspended

19. (C) Groenemeijer reminded that the US-EU Understanding on Cuba reached in 1996 meant that the U.S. was expected to suspend Tier III of the Libertad (Helms-Burton) Act and the EU would drop its WTO case against the U.S. with reference to the legislation. Groenemeijer believed that the EU would renew its case against the U.S. legislation before the WTO if Title III were not suspended.

#### Comment

110. (C) Clearly the Dutch disagree with both the policy of isolating Cuba and what they view as "extraterritoriality" in the Libertad Act. These differences, however, should not obscure the fact that the U.S. and Dutch generally share a similar view of a free post-Castro Cuba. Failure to re-suspend Title III for the Netherlands or the EU would cause a major political fracas that would adversely impact political relations with the Dutch and the EU. Even though the Netherlands reportedly has "blocking laws" that would stop enforcement in The Netherlands of any potential awards granted in U.S. courts (if indeed there are any actual cases of Dutch companies operating on confiscated properties ) Groenemeijer was not aware of any), the real result would be a political wedge between otherwise strong allies.

SOBEL